

**MAINOR ELLIS, LLP**  
8367 W. Flamingo Road, Suite 200, Las Vegas, Nevada 89147  
Phone: (702) 450-5000 | Fax: (702) 733-1106

BRADLEY S. MAINOR, ESQ. (#7434)  
*brad@me-injury.com*  
ADAM ELLIS, ESQ. (#14514)  
*adam@me-injury.com*  
TAYLOR K. CALMELAT, ESQ. (#16681)  
*taylor@me-injury.com*  
**MAINOR ELLIS INJURY LAWYERS**  
8367 W. Flamingo Rd., Suite 200  
Las Vegas, Nevada 89147  
Tel. 702-450-5000 | Fax 702-733-1106  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KENDALL LOVELL, an individual;

Plaintiff,

vs.

USAA CASUALTY INSURANCE  
COMPANY; DOES I through X, inclusive;  
and ROE BUSINESS ENTITIES I through X,  
inclusive;

Defendants.

CASE NO.: 2:24-cv-01024-BNW

**STIPULATED DISCOVERY PLAN AND  
[PROPOSED] SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW  
REQUESTED**

Plaintiff KENDALL LOVELL by and through her attorneys of record, BRADLEY S. MAINOR, ESQ., ADAM ELLIS, ESQ., and TAYLOR K. CALMELAT, ESQ. of MAINOR ELLIS, LLP, and Defendant USAA CASUALTY INSURANCE COMPANY by and through its attorneys of record, MARY E. BACON, ESQ. of SPENCER FANE, LLP, hereby submit their Stipulated Discovery Plan and Scheduling Order pursuant to Fed R. Civ. P. 26(f) and Local Rules 26-1(b).

The Parties jointly request that the Court: 1) approve this plan, and 2) implement the plan as a scheduling order.

The FRCP 26(f) conference was held on July 23, 2024, by Adam Ellis, Esq. for Plaintiff, and Mary E. Bacon, Esq. for Defendant. The parties will serve their Initial Disclosures on or before

August 6, 2024. The Parties propose the following discovery plan:

**I. ESTIMATED TIME REQUIRED FOR DISCOVERY:**

**a. Date of Defendants' Answer or Appearance (LR 26-1(b)(1)):**

Plaintiff filed her Complaint and Demand for Jury Trial on February 26, 2024 in the Eighth Judicial District Court for Clark County, Nevada. This matter was removed from the Eighth Judicial District Court to the United States District Court, District of Nevada on May 31, 2024 (ECF No. 1). Defendant filed a Motion to Dismiss on June 14, 2024. Plaintiff amended her Complaint on June 28, 2024 (ECF No. 14) and Defendant filed its Answer to Plaintiff's Amended Complaint on July 12, 2024 (ECF No. 19).

**b. Proposed Discovery Cut-Off (LR 26-1(b)(1)):**

The parties agree that 240 days is needed to complete discovery. Counsel for Defendant has encountered delays in medical providers responding to subpoenas for medical records in other cases, and the parties have added time to the discovery period to accommodate this expected delay. Discovery will close 240 days from July 23, 2024. Accordingly, all discovery must be completed no later than: **March 20, 2025**. The parties may conduct discovery within the scope of Fed. R. Civ. P. 26(b). Subject to the foregoing, discovery need not be limited or focused on particular issues or conducted in phases.

**II. AMENDING THE PLEADINGS AND ADDING PARTIES (LR 26-1(b)(2)):**

Motions to amend pleadings and add parties shall be filed no later than ninety (90) days before the close of discovery: **December 20, 2024**.

**III. DISCLOSURES (Fed. R. Civ. P. 26(f)(3)(A); LR 26-1(b)(3)):**

**a. Initial Expert Disclosures:**

Pursuant to FRCP 26(a)(2)(D)(i), initial expert disclosures shall be due no later than sixty (60) days before the close of discovery: **January 17, 2025**.

**b. Rebuttal Expert Disclosures:**

Pursuant to FRCP 26(a)(2)(D)(ii), rebuttal expert disclosures shall be due no later than thirty (30) days before the close of discovery: **February 18, 2025**.

MAINOR ELLIS, LLP  
8367 W. Flamingo Road, Suite 200, Las Vegas, Nevada 89147  
Phone: (702) 450-5000 | Fax: (702) 733-1106

1 **IV. DISPOSITIVE MOTIONS (LR 26-1(b)(4)):**

2 The deadline for filing dispositive motions shall be thirty (30) days after the close of  
3 discovery: **April 21, 2025.**

4 **V. JOINT PRE-TRIAL ORDER (LR 26-1(b)(5), (6)):**

5 If no dispositive motions are filed, and unless otherwise ordered by this Court, the joint pre-  
6 trial order shall be filed no later than thirty (30) days after the date set for filing dispositive motions:  
7 **May 21, 2025.** The joint pre-trial order shall include the disclosures required by Fed. R. Civ. P.  
8 26(a)(3) and any objections to them.

9 In the event a dispositive motion is timely filed, the date for filing the joint pre-trial order  
10 shall be suspended until thirty (30) days after the Court enters a ruling on the dispositive motion,  
11 or otherwise by further Court order.

12 **VI. ALTERNATIVE DISPUTE RESOLUTION (LR 26-1(b)(7)):**

13 The parties certify that they met and conferred about the possibility of using alternative  
14 dispute resolution processes including mediation and arbitration. The parties will engage in  
15 informal discussions prior to completing substantial discovery, and will seek more formal  
16 alternative dispute resolution, including potentially an early neutral evaluation, should the parties  
17 believe it will be fruitful.

18 **VII. ALTERNATIVE FORMS OF CASE DISPOSITION (LR 26-1(b)(8)):**

19 The parties hereby certify that they considered consent to trial by a magistrate judge under  
20 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, use of the Short Trial Program (General Order 2013-01).  
21 The parties do not consent to those forms of disposition at this time.

22 **VIII. ELECTRONIC EVIDENCE (LR 26-1(b)(9)):**

23 The parties hereby certify that they met and conferred regarding their intentions to present  
24 evidence in electronic format to jurors for the purposes of jury deliberations. The parties did not  
25 come to any stipulations regarding providing discovery in an electronic format.

26 ///

2:24-cv-01024 Discovery Plan

DATED August 6, 2024.

DATED August 6, 2024.

**MAINOR ELLIS, LLP**

**SPENCER FANE, LLP**

*/s/Bradley S. Mainor*

*/s/ Mary E. Bacon*

BRADLEY S. MAINOR, ESQ. (#7434)  
ADAM ELLIS, ESQ. (#14514)  
TAYLOR K. CALMELAT, ESQ. (#16681)  
8367 W. Flamingo Road, Suite 200  
Las Vegas, NV 89147  
*Attorneys for Plaintiff*

MARY E. BACON, ESQ. (#12686)  
300 S. 4th Street, Suite 950  
Las Vegas, NV 89101  
*Attorney for Defendant*

**IT IS SO ORDERED.**

  
**UNITED STATES MAGISTRATE JUDGE**

**DATED:** August 7, 2024